

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Yves SAVIDAN et al.

Title: MEANS FOR IDENTIFYING NUCLEOTIDE SEQUENCES INVOLVED  
IN APOMIXIS

Appl. No.: Unassigned

Filing Date: 09/24/2003

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/375,415, filed 08/17/1999. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 24 September 2003



FOLEY & LARDNER  
Customer Number: 22428  
Telephone: (202) 672-5404  
Facsimile: (202) 672-5399

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application Number</b>	Unassigned
Date Submitted: September 24, 2003				<b>Filing Date</b>	09/24/03
(use as many sheets as necessary)				<b>First Named Inventor</b>	Yves SAVIDAN
Sheet	1	of	2	<b>Group Art Unit</b>	Unknown
				<b>Examiner Name</b>	Unknown
				<b>Attorney Docket Number</b>	040388-0125

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

## NON-PATENT LITERATURE DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	B3	KINDIGER et al., "Assignment of A Gene(s) Conferring Apomixis in <i>Tripsacum</i> to A Chromosome Arm: Cytological and Molecular Evidence"; <i>Genome</i> ; vol. 39, no. 6, December 1996, pp. 1133-1141; XP002047140.	
	B4	PESSINO et al., "Identification of A Maize Linkage Group Related to Apomixis in <i>Brachiaria</i> ", <i>Theoretical and Applied Genetics</i> ; vol. 94, no. 3-4; 1997; pp. 439-444; XP002047141.	
	B5	LEBLANC et al., "Reproduction Behavior in Maize- <i>Tripsacum</i> Polyploid Plants: Implications for the Transfer of Apomixis Into Maize," <i>Journal of Heredity</i> , vol. 87, 1996, pp. 108-111, XP002069546.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application Number</b>	Unassigned
Date Submitted: September 24, 2003 <i>(use as many sheets as necessary)</i>				<b>Filing Date</b>	09/24/03
				<b>First Named Inventor</b>	Yves SAVIDAN
				<b>Group Art Unit</b>	Unknown
				<b>Examiner Name</b>	Unknown
Sheet	2	of	2	Attorney Docket Number	040388-0125

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
	B6	LUBBERS et al., "Molecular Markers Shared by Diverse Apomictic <i>Pennisetum</i> Species," <i>Theor Appl. Genet.</i> , vol. 89, 1994, pp. 636-642, XP002069547.		
	B7	LEBLANC et al., "Detection of the Apomictic Mode of Reproduction in Maize-Tripsacum Hybrids Using Maize RFLP Markers," <i>Theoretical and Applied Genetics</i> , vol. 90, no. 7-8, 1995, pp. 1198-1203, XP002047142.		
	B8	KOLTUNOW, "Apoximis: Embryo Sacs and Embryos Formed Without Meiosis or Fertilization in Ovules," <i>Plant Cell</i> , vol. 5, October 1993, pp. 1425-1437, XP002040861.		
	B9	KINDIGER et al., "A Comparison of Apomictic Reproduction in Eastern Gammagrass ( <i>Tripsacum Dactyloides</i> (L.) L.) and Maize-Tripsacum Hybrids," <i>Genetica</i> , vol. 7, no. 1, 1996, pp. 103-104, XP002047143.		
	B10	RICHARDS, "Genetic Variability in Obligate Apomicts of the Genus <i>Taraxacum</i> ," <i>Folia Geobotanica Phytotaxonomica</i> , vol. 31, no. 3, 1996, pp. 405-414, XP002047144.		
	B11	CHOMET, "Transposon Tagging with Mutator," Springer-Verlag, New York USA, 1994, pp. 243-249, XP002047145.		
	B12	CHAMDLER, "Overview of Cloning Genes Using Transposon Tagging," Springer-Verlag, New York USA, 1994, pp. 647-652, XP002047146.		
	B13	GRIMANELLI et al., "Mapping Diplosporous Apomixis in Tetraploid <i>Tripsacum</i> : One Gene or Several Genes," <i>Heredity</i> , vol. 80, 1988, pp. 33-39, XP002069584.		
	B14	OZIAS-AKINS, P. et al., "Tight Clustering and Hemizygosity of Apomixis-linked Molecular Markers in <i>Pennisetum squamulatum</i> ..." 1998, <i>Proc. Natl. Acad. Sci. USA</i> , vol. 95, pp. 5127-5132.		
	B15	RHOADES, M. M. and DEMPSEY, E., "Induction of Chromosome Doubling at Meiosis by the Elongate Gene in Maize," 1996, <i>Genetics</i> , vol. 54, pp. 505-522.		
	B16	KAMPS, T.L. et al., "Gametophyte Genetics in <i>Zea mays</i> L.: Dominance of a Restoration-of-Fertility Allele (Rf3) in Diploid Pollen," 1996, <i>Genetics</i> , vol. 142, pp. 1001-1007.		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.